

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSE UBALDO ROMAN MARIA, et al.

Plaintiffs,

-against-

ROUGE TOMATE CHELSEA LLC, et al.

Defendants.
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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 5/11/2020

18-CV-9826 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on October 24, 2018, (Doc. 1), and filed affidavits of service on November 15, 2018 and December 10, 2018, (Docs. 17–19, 21–24). On July 12, 2019, the Clerk’s office entered certificates of default against non-answering defendants Rouge Tomato Chelsea LLC, Rouge Tomato New York LLC, Rouge Tomato Corp., Emmanuel Verstrauten, and Christian Molina. (Docs. 43–47.) On August 13, 2019, I entered an order to show cause as to why a default judgment should not be entered against these defendants, (Doc. 59), and on October 25, 2019 held an order to show cause hearing, but reserved entering Plaintiffs’ proposed default judgment until resolution of the case as to the remaining defendants and the filing of an amended proposed default judgment, (Doc. 65). Although this case has been resolved as to the remaining defendants, (Doc. 68), Plaintiffs have still not filed an amended proposed default judgment. Accordingly, if Plaintiffs intend to continue to seek a default judgment against the non-answering defendants they are directed to file an amended proposed default judgment in accordance with my previous order, (Doc. 65), no later than May 20, 2020 or I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: May 11, 2020
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, slightly stylized font. The first letter "V" is large and prominent. The signature is written over a horizontal line.

Vernon S. Broderick
United States District Judge